

REMARKS/ARGUMENTS

Claims 1-12, 14-26, and 28-38 are currently pending in the application. Claims 1-12 and 14-38 are rejected. Claims 1, 3, 4, 9, 15, 22, and 33 have been amended. Claim 27 is canceled without prejudice, waiver, or disclaimer. No new matter has been added.

Claims 1-2, 4-12, 15-27, 29-34, and 36-38 are rejected under 35 U.S.C. 102(b) as being anticipated by Paulsen (U.S. Patent Application Publication No. 20020142846).

The Examiner indicates that Paulsen describes a gaming system as recited in claim 1. Specifically, the Examiner suggests that Paulsen describes the network server controller being programmed to “select a game from said plurality of available games by comparing said preferences of said first player to said game characteristics of said plurality of available games”. Paulsen does not describe or suggest the network server controller being programmed to “select a game from said plurality of available games by comparing said preferences of said first player to said game characteristics of said plurality of available games and by comparing said first player preferences with a set of preferences of a second player” as is recited in claim 1. More specifically, Paulsen does not describe or suggest the comparison of the first player preferences with the set of preferences of a second player as is recited in claim 1. Rather, in contrast, Paulsen describes that a player may “select a preferred game that the player likes to play on a gaming machine” (paragraph 43). Paulsen further describes that this “feature is only available on gaming machines offering multiple game choices” (paragraph 43). Accordingly, a description of the gaming machine that allows a player to select a preferred game from the multiple game choices in Paulsen does not describe or suggest the network server controller being programmed to select a game from the plurality of available games by comparing the first player preferences with a set of preferences of a second player as is recited in claim 1. Hence, for at least the reasons set forth above, Applicants respectfully submit that claim 1 is patentable over Paulsen.

Claims 2 and 4-8 depend, directly or indirectly, from independent claim 1. When the recitations of claims 2 and 4-8 are considered in combination with the recitations of claim 1, Applicants respectfully submit that claims 2 and 4-8 are also patentable over Paulsen.

Moreover, the Examiner indicates that Paulsen describes a gaming apparatus as recited in claim 9. Specifically, the Examiner suggests that Paulsen describes the controller being programmed to “select a game from said plurality of available games by comparing said preferences of said first player to said game characteristics of said plurality of available games”.

Paulsen does not describe or suggest the controller being programmed to “select a game from said plurality of available games by comparing said preferences of said first player to said game characteristics of said plurality of available games and by comparing said first player preferences with a player type of a second player” as recited in claim 9. Rather, in contrast, Paulsen describes the gaming machine that allows a player to select a preferred game from the multiple game choices. Accordingly, Paulsen does not describe or suggest the controller being programmed to select a game from the plurality of available games by comparing the first player preferences with a player type of a second player as recited in claim 9. Hence, for at least the reasons set forth above, Applicants respectfully submit that claim 9 is patentable over Paulsen.

Claims 10-12 and 15-21 depend, directly or indirectly, from independent claim 9. When the recitations of claims 10-12 and 15-21 are considered in combination with the recitations of claim 9, Applicants respectfully submit that claims 10-12 and 15-21 are also patentable over Paulsen.

Further, the Examiner indicates that Paulsen describes a gaming apparatus as recited in claim 22. Specifically, the Examiner suggests that Paulsen describes the controller being programmed to select a game characteristic from plurality of game characteristics associated with a plurality of available games, based upon the first player preferences, to provide a game characteristic selection comprising the selected game characteristic. Paulsen does not describe or suggest “said controller being programmed to select a game characteristic from a plurality of game characteristics associated with a plurality of available games, based upon said first player preferences and based upon a demographic of a second player, to provide a game characteristic selection comprising said selected game characteristic” as is recited in claim 22. Rather, in contrast, Paulsen describes the gaming machine that allows a player to select a preferred game from the multiple game choices. Accordingly, Paulsen does not describe or suggest the controller being programmed to select a game characteristic from a plurality of game characteristics associated with a plurality of available games, based upon a demographic of a second player, to provide a game characteristic selection” as is recited in claim 22. Hence, for at least the reasons set forth above, Applicants respectfully submit that claim 22 is patentable over Paulsen.

Claim 27 has been canceled. Claims 23-26 and 29-32 depend, directly or indirectly, from independent claim 22. When the recitations of claims 23-26 and 29-32 are considered in combination with the recitations of claim 22, Applicants respectfully submit that claims 23-26

and 29-32 are also patentable over Paulsen.

The Examiner indicates that Paulsen describes a gaming method as recited in claim 33. Specifically, the Examiner suggests that Paulsen describes selecting a game from a plurality of available games based upon the first player preferences to provide a game selection. Applicants respectfully submit that Paulsen does not describe or suggest “selecting a game from a plurality of available games based upon said first player preferences and based upon a demographic of a second player to provide a game selection” as is recited in claim 33. Rather, in contrast, Paulsen describes the gaming machine that allows a player to select a preferred game from the multiple game choices. Accordingly, Paulsen does not describe or suggest selecting a game from a plurality of available games based upon a demographic of a second player to provide a game selection as is recited in claim 33. Hence, for at least the reasons set forth above, Applicants respectfully submit that claim 33 is patentable over Paulsen.

Claims 34 and 36-38 depend, directly or indirectly, from independent claim 33. When the recitations of claims 34 and 36-38 are considered in combination with the recitations of claim 33, Applicants respectfully submit that claims 34 and 36-38 are also patentable over Paulsen.

For at least the reasons set forth above, Applicants respectfully submit that the Section 102 rejection of Claims 1-2, 4-12, 15-27, 29-34, and 36-38 over Paulsen be withdrawn.

Claims 3, 14, 28, and 35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Paulsen in view of Lark et al. (U.S. Patent Application Publication No. 2002/0142825), referred to as Lark.

The Examiner indicates that Lark discloses a gaming system as recited in claim 3. Specifically, the Examiner suggests that Lark discloses the network server controller being programmed to “select an available game by comparing said first player preferences to preferences of a second player and selecting a game associated with said second player”.

Claim 3 depends from independent claim 1. Neither Paulsen nor Lark, considered alone or in combination, describe or suggest the network server controller being programmed to “select a game from said plurality of available games by comparing said preferences of said first player to said game characteristics of said plurality of available games and by comparing said first player preferences with a set of preferences of a second player” as is recited in claim 1. Paulsen describes a gaming machine on which one or more preference account options is selected by a player to customize a game playing experience of the player (paragraph 33). The preference account options selected by a player may be stored as preference account information on a

preference account server (paragraph 33). The preference account information may include loyalty point account information (paragraph 17). The loyalty point account settings may be selected from the group consisting of a name, an address, contact information, tax information and preferred rewards (paragraph 12). Moreover, Lark describes that:

[i]n 700, a preference account server, which may be a device separate from a gaming machine or a gaming machine with server capabilities, may receive a request for preference account information . . . In 704, the preference account server may select a particular preference account using player identification information supplied to the preference account server by the requesting external device . . . In 706, one or more menus may be displayed to a preference account interface used by the external device by the preference account server . . . In 720, the preference account server may retrieve preference account information and execute commands operating on preference account information that are available through the one or more preference account interfaces . . . In 725, the preference account server may send the requested preference account information to the external device requesting the preference account information. For instance, the requested information may be a summary of a player's loyalty point account over a certain time period. While the player is using the preference account interface hosted by the preference account server, a player may make multiple requests for preference account information via the preference account interface. *Thus, 700, 704, 706, 720 and 725 may repeated a plurality of times by the same player during a single session of using the interface, over multiple different sessions by the same player and over multiple sessions by different players.* A single session may be defined as the time period between when a user is granted access to a preference account, such as by entering player identification information, and when a player's access to the preference account is terminated. *Thus, a second subsequent session to a first session begins after a player's access has been terminated in the first session and a new access to a player, which may be the same or a different player than in the first session, has been granted in the second session.*

(Emphasis added).

Paragraphs 120, 121, 122, 123, 124.

A description of the selection of the loyalty point account settings from the group consisting of a name, an address, contact information, tax information and preferred rewards in Paulsen, and a description of the repetition of the steps 700, 704, 706, 720 and 725 for a plurality of times over multiple sessions by different players and a description of the grant of the second session to the different player than a player who is granted the first session in Lark does not describe or suggest a comparison of the first player preferences with a set of preferences of a second player as is recited in claim 1. Accordingly, for at least the reasons set forth above, Applicants respectfully submit that claim 1 is patentable over Paulsen in view of Lark. When the recitations of claim 3 are considered in combination with the recitations of claim 1, Applicants respectfully submit that claim 3 is also patentable over Paulsen in view of Lark.

Claim 14 depends from claim 9. A description of the selection of the loyalty point account settings from the group consisting of a name, an address, contact information, tax information and preferred rewards in Paulsen, and a description of the repetition of the steps 700, 704, 706, 720 and 725 for a plurality of times over multiple sessions by different players and a description of the grant of the second session to the different player than a player who is granted the first session in Lark does not describe or suggest the controller being programmed to “select a game from said plurality of available games by comparing said preferences of said first player to said game characteristics of said plurality of available games and by comparing said first player preferences with a player type of a second player” as recited in claim 9. When the recitations of claim 14 are considered in combination with the recitations of claim 9, Applicants respectfully submit that claim 14 is also patentable over Paulsen in view of Lark.

Claim 28 depends from claim 22. Applicants submit that neither Paulsen nor Lark, considered alone or in combination, describe or suggest “said controller being programmed to select a game characteristic from a plurality of game characteristics associated with a plurality of available games, based upon said first player preferences and based upon a demographic of a second player, to provide a game characteristic selection comprising said selected game characteristic” as is recited in claim 22. A description of the selection of the loyalty point account settings from the group consisting of a name, an address, contact information, tax information and preferred rewards in Paulsen, and a description of the repetition of the steps 700, 704, 706, 720 and 725 for a plurality of times over multiple sessions by different players and a description of the grant of the second session to the different player than a player who is granted the first session in Lark does not describe or suggest the selection of the game characteristic

based upon the first player preferences and upon a demographic of a second player as is recited in claim 22. When the recitations of claim 28 are considered in combination with the recitations of claim 22, Applicants respectfully submit that claim 28 is also patentable over Paulsen in view of Lark.

Claim 35 depends from claim 33. Applicants submit that neither Paulsen nor Lark, considered alone or in combination, describe or suggest “selecting a game from a plurality of available games based upon said first player preferences and based upon a demographic of a second player to provide a game selection” as is recited in claim 33. A description of the selection of the loyalty point account settings from the group consisting of a name, an address, contact information, tax information and preferred rewards in Paulsen, and a description of the repetition of the steps 700, 704, 706, 720 and 725 for a plurality of times over multiple sessions by different players and a description of the grant of the second session to the different player than a player who is granted the first session in Lark does not describe or suggest the selection of the game based upon the first player preferences and upon a demographic of a second player as is recited in claim 33. When the recitations of claim 35 are considered in combination with the recitations of claim 33, Applicants respectfully submit that claim 35 is also patentable over Paulsen in view of Lark.

In view of the foregoing, Applicants believe all claims now pending in this application are in condition for allowance. Early favorable consideration of this Amendment is earnestly solicited and Applicants respectfully request that a timely Notice of Allowance be issued in this case. If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at (510) 663-1100.

Respectfully submitted,

/ Roger S. Sampson /

Roger S. Sampson
Registration No. 44314
Weaver Austin Villeneuve & Sampson LLP
P.O. Box 70250
Oakland, CA 94612-0250
(510) 663-1100